

1.0 INTRODUCTION

- 1.1** The Victims' Payments Board (VPB) was established in Feb 2021 as an independent public body under the Victims' Payments Regulations 2020. The Troubles Permanent Disablement Payment Scheme (Scheme) established by these Regulations opened for applications on 31 August 2021.
- 1.2** The President of the VPB was appointed by the Lord Chief Justice, and the Board comprises legal, medical and ordinary members appointed as judicial office holders by the Northern Ireland Judicial Appointments Commission.
- 1.3** The VPB is responsible for assessing applications and determining entitlement to payments under the Scheme to acknowledge the harm suffered by those injured in the Troubles and to promote reconciliation between people in connection with Northern Ireland's troubled past.
- 1.4** The work of the VPB and this Policy are underpinned by the Scheme's guiding principles:
- the need to prioritise, and be responsive to, the needs of victims of Troubles-related incidents;
 - the need to be transparent and to communicate effectively with the public and victims of Troubles-related incidents;
 - the need for the Scheme to be straightforward and simple to navigate;
 - the need for applications to be determined without delay;
 - the need for personal data to be handled sensitively.

2.0 POLICY STATEMENT

- 2.1** The VPB is committed to providing high quality transparent and accessible services to victims, their representatives and everyone it deals with. However, there may be times when problems or difficulties arise and expected standards are not met. In seeking to better understand the needs of victims, VPB will respond positively to complaints, and treat them seriously. Lessons learned will be used to deliver service improvements.
- 2.2** Central to fulfilling this commitment is a robust and effective Complaints Policy which addresses dissatisfaction fairly, thoroughly, impartially and with a view to early and satisfactory resolution.
- 2.3** The Complaints Policy sets out the procedure to allow victims and others to report when they are dissatisfied with the quality of service provided and to seek a remedy where appropriate. It provides guidance as to how the VPB will handle, investigate and respond to complaints. It also provides a means for informal resolution to ensure issues or problems are resolved quickly and as close to the source as possible to the satisfaction of all concerned.

- 2.4** A complaint may be defined as any ‘expression of dissatisfaction’ about the standard of service(s) you should expect from the VPB.

3.0 RESPONSIBILITIES AND OVERSIGHT

- 3.1** The VPB has delegated authority to its Business Assurance Committee (BAC) to oversee the effective management and implementation of this Complaints Policy and Procedure. The BAC will monitor the volume and nature of complaints, and trends and outcomes to ensure high professional standards in the delivery of services to victims are maintained. Complaints will constitute a standing item on the BAC’s agenda and form part of the Committee’s regular report to the Board.
- 3.2** The VPB Secretary and Senior Management Team will ensure operational compliance with the Policy and adherence to the target time limits. All staff will have responsibility for identifying and handling complaints in accordance with this Policy and for providing other information as required to those charged with responding.
- 3.3** The VPB Secretariat will provide regular updates and reports to the BAC regarding complaints received.

4.0 SCOPE

- 4.1** For the purposes of this Policy a complainant may be an applicant/prospective applicant of the scheme, or their nominated representative.
- 4.2** Complaints subject to investigation in accordance with this Policy may include but are not limited to:
- maladministration such as;
 - failure to follow procedures
 - failure to provide information
 - neglect in replying to enquiries
 - undue delay in progressing applications
 - inadequate consultation or engagement
 - delays in the provision of information or responses from the VPB to the Applicant within reasonable timeframes;
 - difficulty in contacting the correct team or person;
 - incorrect information or inadequate guidance issued by the VPB;
 - difficulty in accessing the application process;

- 4.3** Where your complaint is covered by another Policy or process, the VPB will refer it to the correct team or staff member to handle and advise you accordingly.

These may include:

- complaints of dissatisfaction with a determination or assessment made by the VPB as the Scheme makes statutory provision for processes of appeal and review; (information on the Appeals and Review process is available here [Appeal Form - Guidance Notes.pdf \(victims.paymentsboard.org.uk\)](https://victims.paymentsboard.org.uk/pep/pep-form))
 - complaints about the conduct of the President or any Board member. There are separate and specific arrangements for judicial office holders as set out by the Office of the Lady Chief Justice. Appendix 2 to this Policy provides further information and guidance regarding the process about the handling and investigation of complaints regarding the conduct of the President or any Board member. Details of how to make such a complaint can be accessed at: <https://www.judiciaryni.uk/judicial-conduct-and-complaints>.
 - complaints regarding the conduct or behaviour of staff fall under DOJ staff policies and procedures and will be investigated by the VPB Senior Management Team; [DoJ complaints | Department of Justice \(justice-ni.gov.uk\)](https://www.justice-ni.gov.uk/department-of-justice-complaints)
 - breaches of data protection; dataprotectionofficer@justice-ni.gov.uk
- 4.4** On occasion, your complaint will relate to issues that should properly be dealt with by another agency. Wherever possible, the VPB will signpost you to the appropriate agency.
- 4.5** Anonymous, unreasonable or vexatious complaints will be handled in accordance with the guidance set out in Appendix 1 of this Policy.

5.0 PROCEDURE FOR DETERMINING A COMPLAINT

- 5.1** In the event any person is not satisfied with the service(s) provided by the VPB they have a right to make a complaint and have it investigated.
- 5.2** **All Complaints should be submitted to the VPB no later than six weeks from the date of the issue arising or from the date on which the complainant became aware of the issue, if later. In exceptional circumstances, the VPB may exercise discretion in respect of this timescale.**
- 5.3** The VPB will manage the investigation of your complaint to ensure that:
- there are clear lines of accountability for the handling and consideration of complaints;
 - complainants have access to information relevant to their complaint where required;
 - complaints are dealt with efficiently and transparently

- all investigations are conducted promptly, thoroughly and objectively, without bias and with full adherence to data protection legislation;
- consistency and fairness underpin the entire process;
- communication with complainants is regular and within specified timeframes as far as practicable;
- no complainant is disadvantaged as a result of making a complaint;
- confidentiality is strictly observed and distribution of personal information is limited to relevant data holders.

Where a complaint arises, complainants should feel supported in raising their concerns.

5.4 Stage 1 - Informal Complaints

Where a complaint raises matters which are simple and straightforward, it may not require a formal investigation. In this instance, the VPB will seek to put things right promptly and learn from any mistakes.

The VPB is committed to addressing complaints at an early stage. Staff will act to resolve complaints at first source when received. If the matter can be resolved informally this approach is considered desirable where appropriate.

Upon receipt of an informal complaint, staff will refer the matter to the VPB Communications Team.

The Communications Team will review the substance of the complaint, request any further information required and provide a response to the complainant as soon as practicable and in any event **within 15 working* days**.

All informal complaints will be logged, and themes and outcomes recorded to inform service delivery improvements.

**Working days are those days on which the VPB is open. Weekends, statutory days, Bank Holidays and other Office closures are classed as 'non-working' days.*

5.5 Stage 2 - Formal Complaints

Where a resolution is not possible, or the gravity or significance of the matter is considered too complex or serious to deal with at an informal stage, the Communications Team will progress the complaint to Stage 2.

Alternatively the complainant can submit a formal complaint at any point. Complaints may be submitted on behalf of someone else. If you are making a complaint on behalf of someone you will need to submit a form of written authority.

Once a formal complaint is received, a senior member of the Communications Team will manage the investigation process, reviewing the content of the complaint, engaging with the complainant, liaising with relevant staff and gathering the necessary information. A response setting out the findings and any recommendations will be issued to the complainant at the conclusion of the investigation. The response will be despatched with the authority and approval of the VPB's Senior Management Team.

In most instances the VPB will seek to resolve the complaint to the satisfaction of the complainant as soon as possible and in keeping with the timeframes below (5.5.1). In exceptional circumstances, the VPB may exercise discretion in respect of this timescale.

Any final response issued by the VPB will include details of the next step in the complaints procedure should the complainant remain dissatisfied.

Where a complainant disagrees with the findings they will have the right to refer the matter as a Stage 3 complaint **within 5 working days** of the date the response was received.

5.5.1 Stage 2 Complaint Timeframes

- **complaint acknowledged - within 5 working* days**
- **further information required to progress the complaint - within 10 working days from date complaint acknowledged**
- **response findings and recommendations – within 20 working days from date complaint acknowledged**

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5.6 Stage 3 - Formal Complaint

Where a resolution cannot be found, or where circumstances are such they render it inappropriate to investigate the complaint at Stage 2, including where the substance of the complaint is particularly serious or complex; the complaint relates to services provided by a member of the Communications or Senior Management Team; or the complainant disagrees with the outcome of the Stage 2 process the complaint shall proceed to Stage 3.

All Stage 3 complaints shall be referred to the Business Assurance Committee (BAC). The BAC will appoint a Complaints sub-committee of one or more of its members depending on the nature of the complaint and expertise and resources required.

All Stage 3 complaints will be administered by a senior member of the Communications Team who will act as the point of contact for the complainant and as the liaison officer to the Complaints sub-committee.*

A copy of the complaint and any other relevant documentary evidence gathered as part of the complaint investigation will be reviewed by the Complaints sub-committee who may invite the complainant or their representative to a face to face meeting for the purpose of gathering further information. The Complaints sub-committee may also require further information be provided by staff member(s) or another third party.

A formal response detailing the outcome of the investigation, its findings and recommendations will be issued to the complainant by the Complaints sub-committee once all relevant evidence and information have been considered.

The VPB will endeavour to adhere to the timeframes detailed below (5.6.1). If circumstances arise where it is not possible to carry out the investigation in accordance with the expected timeframes, regular updates will be provided to the complainant setting out a reasonable timeframe for outstanding work to be completed.

The outcome of each Stage 3 complaint investigation will be reported in anonymised form to the next scheduled meeting of the BAC. A summary report relating to complaints, recurring themes and key recommendations will be reported to the Board quarterly or as required.

** In the event the complaint relates to the Communications Team the complaint will be administered by a senior member of the Secretariat administrative team*

5.6.1 Stage 3 - Complaint Timeframes

- **complaint acknowledged - within 5 working* days of receipt by BAC**
- **further information required to progress the complaint - within 15 working days from date complaint acknowledged by BAC**
- **report of investigation / findings and recommendations – within 30 working days from date complaint acknowledged by BAC**

**Working days are those days on which the VPB is open. Weekends, statutory days, Bank Holidays and other Office closures are classed as 'non-working' days.*

6.0 CONFIDENTIALITY AND RECORD KEEPING

- 6.1** Complaint meetings (virtual or in person) and phone calls are confidential. If a meeting is required to resolve the issue, minutes will be taken and made available upon request to those in attendance. If the complainant identifies any inaccuracies the minute will be reviewed, and where an amendment is agreed a revised minute will be issued.
- 6.2** VPB staff and Board Members have a reasonable expectation of privacy in the workplace and to protect their privacy the VPB does not consent to conversations being recorded unless express consent has been obtained in advance.
- 6.3** All information will be handled and made available in accordance with the data protection legislation pertaining at that time.
- 6.4** All VPB staff hold CTC-level security clearance. As judicial office is a position of the utmost trust Board members have been assessed for the high degree of personal integrity, character and conduct required.

7.0 WHERE A COMPLAINANT REMAINS DISSATISFIED

7.1 It is expected the VPB will be able to address all complaints through the Complaints Procedure. However, should a complainant remain dissatisfied with the complaints outcome, they have the right to raise the matter with the Northern Ireland Public Services Ombudsman (NIPSO), in their role as Commissioner for Complaints.

7.2 Contact details for NIPSO are:

By post: NIPSO, Freepost, Belfast, BT1 6BR (no stamp required)

By phone: Freephone 0800 343 424

By Fax: (028) 9023 4912

By Email: ombudsman@ni-ombudsman.org.uk

Website: <https://nipso.org.uk/>

8.0 MONITORING COMPLAINTS

8.1 REPORTING ON COMPLAINTS

The VPB will not disclose the investigation report or findings to anyone except the complainant, those investigating the complaint as per the Complaints Policy and to the BAC and the Board as required. All acknowledged complaints will be reported in a summary form annually to the DoJ and TEO.

8.2 MONITORING

The VPB will routinely monitor its Complaints Procedure to ensure that it is responsive and appropriate. The Board may therefore amend or adjust the Procedure at any time. The VPB may contact you shortly after your complaint is dealt with, no matter what the outcome is, to seek your views.

8.3 DATA PROTECTION POLICY

Under the Data Protection Act (DPA), the VPB has a legal duty to protect any information you provide to us. The VPB will handle all personal data you provide in accordance with the DPA. The VPB's privacy notice is attached for further assistance [Privacy notice | Victims' Payment Board \(victimspaymentsboard.org.uk\)](https://victimspaymentsboard.org.uk/privacy-notice)

9.0 ACCESS TO THE COMPLAINTS PROCESS

9.1 This Policy aims to be easy to use and accessible for everyone. The VPB will make reasonable adjustments to facilitate access to this Policy and provide the information in other formats where requested.

If you are unable to contact us in writing because of a disability and need a reasonable adjustment, please call us on 0300 200 7808.

9.2 Advocacy Support

If you need support in making a complaint, the VPB is content to receive your complaint from:

- an authorised advocate or representative
- family members or friends acting with your authority

After your advocate has written to us, the VPB will need your consent for us to speak to them.

There are a number of organisations who have specifically appointed Welfare Advisers who can provide you with Advocacy Support (at no cost to you). You can contact any one of the organisations. The list of support services is on our website [Support Services | Victims' Payment Board \(victimspaymentsboard.org.uk\)](http://victimspaymentsboard.org.uk) and is set out below also:-

WAVE Trauma Centre

Belfast Office – 028 90779922 - adminhq@wavetrauma.org

Armagh Office – 028 37511599- adminarmagh@wavetrauma.org

Ballymoney Office - 028 27669900 - adminballymoney@wavetrauma.org

Derry/ Londonderry Office: - 028 7126 6655 - adminderry@wavetrauma.org

Omagh Office - 028 8225 2522 - adminomagh@wavetrauma.org

Relatives for Justice

Ardoyne Office, Belfast - 028 96949327 - injuredscheme@relativesforjustice.com

ELY Centre

Enniskillen Office - 028 66320977 - enquiriesvps@elycentre.co.uk

Markethill Co Armagh - 028 37552447 - enquiriesvps@elycentre.co.uk

SEFF

Main Office, Fermanagh - 028 67723884 - welfare@seff.org.uk

Lives Project

London - 028 67723884 - welfare@seff.org.uk

Ashton Centre

Belfast – 028 90742255 – bohnpension@ashtoncentre.com

9.3 Complaints can be submitted by:

Email: vpb@justice-ni.gov.uk

Post: Victims' Payments Board
PO Box 2305
Belfast
BT1 9AX

Telephone: 0300 200 7808

Complaint Forms are available to download from the VPB website [Complaints Form | Victims' Payment Board \(victimspaymentsboard.org.uk\)](#) or by request from any VPB member of staff.

If assistance is required with the submission of a complaint complainants can contact 0300 200 7808 or vpb@justice-ni.gov.uk for support and assistance.

9.4 This Policy is available at [Complaints Policy | Victims' Payment Board \(victimspaymentsboard.org.uk\)](#). It can also be made available, upon request, in alternative formats including large print, braille, audio, and in other languages.

10.0 REVIEW

10.1 This Policy will be reviewed annually or sooner, if required, to reflect changes in legislation or circumstances.

Appendix 1 – Anonymous, Unreasonable and Vexatious Complaints

An anonymous complaint is one where the true identity of the complainant cannot be confirmed. Where such a complaint is received the VPB will not normally investigate but will log the complaint and note the issue(s) raised. The VPB must be satisfied that all complainants have standing to raise a complaint. The VPB will work with complainants who wish to retain their privacy however it must be satisfied that the complainant has standing under this Policy to raise a complaint for investigation before taking any action.

Attempts to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given you a final decision may be considered unreasonable.

VPB staff will always seek to act according to the principles of fairness, honesty, integrity, and respect. The VPB expect that applicants and their representatives will also uphold these principles should they wish to make a complaint. VPB staff will not be expected to tolerate unacceptable behaviour by complainants.

In some cases it may be necessary to treat a complainant as vexatious in order to protect staff. This may not relate to a single incident, such as verbal or physical abuse, but may be a combination of persistent behaviours over a period of time. It is important to note that it is the complaint allegation itself which must be vexatious or unacceptable; it is not an assessment of the person making the complaint.

This means that there is a distinction between vexatious/ unacceptable complaints and persistent complainants. While there may be similarities to both, it is not simply the case that an individual making a high volume of complaints should be considered to be doing so in order to be vexatious or offensive.

Appendix 2 - Complaints about the conduct of the President or a Board member

Complaints about the conduct of the VPB President or a Board member fall outside the remit of this Policy. Instead, such complaints are handled in accordance with the [Chief Justice's Office Code of Practice on "Conduct of Judicial Officers- Making a Complaint"](#).

Complaints relating to the conduct of the VPB President

If your complaint relates to the conduct of the VPB President, you should contact the Complaints Officer in the Office of the Chief Justice. Contact details are provided in the Code of Practice and the procedures set out in Part 7 the Code of Practice will be followed.

Complaints relating to the conduct of a Board member

If your complaint relates to the conduct of a Board member, you should contact the Board Secretary in the first instance. A Complaints Officer will be appointed from the VPB Senior Management Team who will investigate your complaint and provide a report to the VPB President who will make a finding regarding the complaint.

Complaints should be made in writing. The complainant will be expected to provide full details of their complaint, together with a note of any evidence to support the complaint.

After receiving a complaint, the procedure set out in Part 14 of the Code of Practice will be followed.

If the Complaints Officer, or the President, upon receiving the report, consider a complaint may fall into the 'gross misconduct' category, they will consult the Complaints Officer in the Chief Justice's Office.

You are reminded the determination of an application for victims' payments and/or the reasons for a determination cannot be the subject of a complaint. A determination may only be challenged through legal means, including by way of an appeal under the regulations (insert link to appeals info). You may consider it appropriate to seek advice on the options available to you in respect of appealing or challenging a determination.